

UNITED STATES DISTRICT COURT
DISTRCIT OF MASSACHUSETTS

UNITED STATES OF AMERICA)

V.)

ANTHONY ARILLOTA,)
DAVID CECCHETELLI, and)
LOUIS NAIOLEARI)

Crim. No.05-30001 MAP

**DEFENDANT DAVID CECCHETELLI'S SECOND EMERGENCY MOTION TO
POSTPONE SURRENDER DATE**

NOW here comes the defendant David Cecchetelli's and respectfully requests this Honorable Court to postpone his surrender date of April 28, 2006, until June 1, 2006.

On March 3, 2006 the defendant David Cecchetelli was sentenced by this court to eighth months in the custody of the United States Bureau of Prisons for counts 1 and 2 of this indictment, sentences to be run concurrently. This court made the specific recommendation that due to the defendant's medical condition of myasthenia gravis, that he be permitted to serve his sentence at the Federal Medical Center at Ft. Devens. The court ordered that Mr. Cecchetelli surrender himself at the institution designated for him by the Bureau of Prisons on March 31, 2006.

Shortly after the sentencing on March 3, 2006, during the defendant's post sentencing interview with the U.S. Marshall's Service, the defendant and undersigned counsel were notified that the designation center of the U.S. Marshal's Service was in the process of being moved from Boston, MA, to Austin, TX. The U.S Marshal conducting the interview expressed doubt as to whether Mr. Cecchetelli would have any designation by March 31, 2006 due to this move.

On March 28, 2006 this court allowed the defendant's previous motion to postpone his surrender date, which was filed for the same reasons as this motion. The court ordered that the defendant's surrender date be postponed from March 31, 2006 until April 28, 2006. As of this date Mr. Cecchetelli still has not been designated for any

*Allowed. The surrender date is extended
to June 1, 2006. So ordered.*

Michael D. Powers USAT 4-26-06

facility, and has been informed by the U.S. Marshal's Service that it is unknown how long it will take for him to be designated to a facility.

As such, the defendant David Cecchetelli is requesting this Honorable Court to postpone his surrender date, for a second time, for approximately one more month so that he may be properly designated for a particular prison by the U.S. Marshal's Service. The defendant states that if this motion is not allowed, the defendant will be taken into custody, and sent to a facility that in all likelihood will not be able to render the proper medical care that the defendant needs for his serious neurological condition. The defendant further states that the allowance of this motion will simply allow for the specific recommendations of this court to be taken into consideration.

THE DEFENDANT
DAVID CECCHETELLI,

/s/
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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on April 24, 2006.

/s/
Daniel D. Kelly